

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 6TH DECEMBER 2007 / 15TH AGRAHAYANA 1929

Bail Appl..No. 7511 of 2007()

CRIME 455/07 OF VALIYATHURA POLICE STATION

PETITIONERS/ACCUSED

**1. SWEETY WATSON, AGED 30 YEARS,
D/O. SOPHY WATSON, BABY'S DALE, TC 34/469,
BEACH P.O., KANNAITHURA, THIRUVANANTHAPURAM.**

**2. SOPHY WATSON, AGED 52 YEARS,
-DO-**

BY ADV. SRI.T.RAJASEKHARAN NAIR

RESPONDENTS: COMPLAINANT

**THE STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA.**

BY PUBLIC PROSECUTOR ADV.SRI.JAI GEORGE

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 06/12/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

R. BASANT, J.

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B.A. No. 7511 OF 2007 B
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Dated this the 6th day of December, 2007

O R D E R

Application for anticipatory bail. The petitioners apprehend arrest on the allegation that they have committed non-bailable offences. The 2nd petitioner is employed abroad and the 1st petitioner, her mother, is in India. They, it is alleged, had induced the de facto complainant to part with money on the promise that employment abroad shall be arranged for him. Money was paid. Employment was also arranged. But the grievance of the de facto complainant is that the employment offered was not of the variety that was agreed to be secured.

2. The learned counsel for the petitioners submits that the allegations are totally false. Vexatious allegations are being raised against the petitioners as the de facto complainant has squandered the opportunity to work abroad. In any view of the matter, the petitioners do not deserve the trauma of arrest and detention. They may be granted anticipatory bail, it is prayed.

3. The learned counsel for the petitioners prays, the

learned Public Prosecutor does not oppose the said prayer and I am satisfied that the petitioners can be granted anticipatory bail subject to appropriate terms and conditions. In this petition, the crime number is not specified. The learned Public Prosecutor submits that the petitioners are required to be arrested in crime No.455/07 of Valiyathura Police Station.

4. In the result, this petition is allowed. Following directions are issued under Section 438 Cr.P.C in favour of the petitioners.

i) Petitioners shall surrender before the learned Magistrate having jurisdiction at 11 a.m on 13/12/2007. They shall be released on regular bail on condition that they execute a bond for Rs.25,000/-(Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioners shall make themselves available for interrogation before the investigating officer between 10 a.m and 3 p.m on 14/12/2007 and thereafter on all Mondays and Fridays between 10 a.m and 1 p.m. for a period of one month and

subsequently as and when directed by the investigating officer in writing to do so.

(iii) If the petitioners do not appear before the learned Magistrate as directed in clause (i), directions issued above shall thereafter stand revoked and the police shall be at liberty to arrest the petitioners and deal with them in accordance with law, as if these directions were not issued at all.

(iv) If they were arrested prior to 13/12/2007, they shall be released from custody on their executing a bond for Rs.25,000/- (Rupees twenty five thousand only) without any sureties, undertaking to appear before the learned Magistrate on 13/12/2007.

(R.BASANT, JUDGE)

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